CITY COUNCIL

MINUTES

TUESDAY, OCTOBER 25, 2022, 1:00 P.M.
PUBLIC COMMENT IN PERSON/TELEPHONE
ART PICK COUNCIL CHAMBER
3900 MAIN STREET

PRESENT: Mayor Lock Dawson, Councilmembers Edwards, Cervantes, Conder, Perry, and Hemenway and Councilwoman Plascencia

ABSENT: Councilmember Fierro

Mayor Lock Dawson called the meeting to order at 1:00 p.m.

ORAL COMMUNICATIONS FROM THE AUDIENCE
John Fisher thanked the City Council for inspiring the youth. Patrick Maloney spoke regarding Karaoke at the Packinghouse Brewing Company, Open Mic Night, Halloween in the Woods Streets, and Devo Band.

COMMUNICATIONS

INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE
There was no update on Intergovernmental relations and legislation.

HOMELESS SOLUTIONS UPDATE
The City Council received an update on homeless solutions.

SUSTAINABILITY UPDATE
There was no update on sustainability.

HEALTH, SAFETY, AND SECURITY UPDATES
There was no update on health, safety, and security.

LEGAL UPDATE
There was no legal update.

PRESENTATION

CITY ATTORNEY'S OFFICE OVERVIEW AND EMPLOYEE RECOGNITION
Following discussion and without formal motion, the City Council received and ordered filed an overview of the City Attorney's Office including recognition of the Department's employees.

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CLOSED SESSIONS

The Mayor and City Council adjourned to closed sessions at 1:33 p.m. pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning SCIND Massachusetts Point, LLC v. City of Riverside, Riverside Superior Court Case No. CVRI2200261; (2) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Tony Platt v. City of Riverside, Riverside Superior Court Case No. RIC1822011; (3) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Stubbie Barr v. City of Riverside, et al., USDC Case No. 5:18-cv-00079-FMO (SPx); (4) §54956.8 to instruct City's Negotiator, Michael Moore, regarding price and terms of payment for the purchase, sale, exchange, or lease of property with no site address located on the corner of Fifth and Orange Streets, commonly known as Lot 33/Convention Center, APNs: 213-113-001, 213-111-011, 213-111-012, -213-111-013, 213-111-014, 213-111-015 , 213-111-016, and 213-111-017, by Greens Group/Griffin|Swinerton; Atman Kadakia, Korin Crawford, Negotiators; (5) §54957(a) for consultation with Chief of Police Larry Gonzalez and Chief Information Officer George Khalil regarding threat to public services or facilities; (6) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning anticipated litigation regarding one case; (7) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning the City Council deciding whether to initiate litigation regarding two cases; (8) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of all Executive Management employees except the City Manager, City Attorney, and City Clerk, all Management and Confidential employees as defined by PERS, Fire Management Unit, Riverside City Firefighters Association, Riverside Police Officers Association (Police and Police Supervisory Units), Service Employees International Union #721, International Brotherhood of Electrical Workers #47, and Riverside Police Administrators Association; (9) §54957 for appointment/employment of City Manager by City Council; (10) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of unrepresented employee for City Manager.

The Mayor and City Council returned to Open Session at 3:01 p.m. with Mayor Lock Dawson presiding and all Councilmembers present including Councilmember Fierro.

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PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

CASE PR-2022-001346 - ZONING CODE AMENDMENT - ELECTRIFIED SECURITY FENCE SYSTEMS IN INDUSTRIAL ZONES - ORDINANCE INTRODUCED
Hearing was called to consider the request by Keith Kaneko of Amarok, LLC, to amend Title 19 (Zoning) of the Riverside Municipal Code Chapter 19.550 (Fences, Walls and Landscape Materials) to allow electrified security fence systems in: (1) Industrial zones by right; and (2) Commercial, Mixed-Use, and other zones subject to a Minor Conditional Use Permit. No one spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Perry and seconded by Councilmember Fierro to (1) determine that the project is exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (Common Sense Exemption), 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15311 (Accessory Structures) of the CEQA Guidelines; (2) deny Planning Case PR-2022-001346 (Zoning Code Amendment) based on the analysis and findings outlined in the staff report; (3) approve Staff's proposed alternative to Planning Case PR-2022-001346 (Zoning Code Amendment) based on the analysis and findings outlined in the staff report; and (4) introduce an Ordinance amending Title 19 (Zoning Code) of the Riverside Municipal Code Chapter 19.550 (Fences, Walls and Landscape Materials) to allow electrified security fence systems in: (a) Industrial zones by right; and (b) Commercial, Railway and Neighborhood Commercial Overlay zones subject to a Minor Conditional Use Permit and prohibit them in Mixed-Use and the Public Facilities zones and adjacent to any park. The motion carried with Councilmembers Edwards, Cervantes, Fierro, Perry, and Hemenway and Councilwoman Plascencia voting aye, Councilmember Conder voting no.

Whereupon an ordinance entitled "An Ordinance of the City Council of the City of Riverside, California, Amending Table 19.150.020.B, Section 19.910.140 and Adding Section 19.550.025 of the Riverside Municipal Code," was presented and introduced.

2019-2020 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ANNUAL ACTION PLAN AMENDMENT - CARES ACT
Hearing was called to consider adopting the amended 2019-2020 United States Department of Housing and Urban Development (HUD) Annual Action Plan to include a

Third Amendment to the Community Development Block Grant CARES Act (CDBG-CV) Agreement with the United Way of the Inland Valleys (UWIV) to amend the Scope of Services and the Budget to allow for a modification in the scope of work and budget. No one spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Fierro and seconded by Councilmember Edwards to (1) authorize the amendment to the 2019-2020 United States Department of Housing and Urban Development (HUD) Annual Action Plan to amend the scope of work of the CDBG CARES Act (CDBG-CV) agreement with the United Way of the Inland Valleys (UWIV) to allow for additional funding to be granted to eligible businesses; (2) approve the Third Amendment to the 2019-2020 CDBG CARES Act Agreement with the United Way of the Inland Valleys to amend the Scope of Services to allow UWIV to re-review up to 150 businesses for a possible increase of $2,500 and an adjustment of the admin fees not-to-exceed 20 percent; (3) authorize the City Manager or his designee to execute the Third Amendment to the United States Department of Housing and Urban Development (HUD) CDBG CARES Act (CDBGCV) Agreement with the United Way of the Inland Valleys (UWIV), including making minor and non-substantive changes, and to sign all documents and instruments necessary to complete the action. The motion carried unanimously.

The Mayor and City Council recessed at 3:32 p.m. and reconvened at 6:15 p.m. with Mayor Lock Dawson presiding and all Councilmembers present.

Pastor Brenda Wood gave the Invocation.

Councilmember Perry led the Pledge of Allegiance.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Edwards reported on the opening ceremony for the Mission Heritage and Civil Rights Institute, grand opening of Virtue Built in Hunter Park, Mission Inn Run, District 2 Homelessness Collective update, and a speaking engagement with Political Science class at the University of California, Riverside (UCR). Councilmember Cervantes reported on Community Development Block Grant (CDBG) Ward 2 meeting, Industrial Uses Public Forum, Redistricting workshop at UCR, El Centro Del Niño Pumpkin giveaway, and Mission Heritage and Civil Rights Institute opening ceremony. Councilmember

Conder reported on a visit to the City of Placentia to tour fiber optic project, CDBG Community meeting, meeting with March Joint Power Authority Dog Park developer, Riverside Arts Academy Gala, Halloween event, change of command to the 452nd Air Mobility Wing at March Air Reserve Base by Colonel Aufderheide. Councilwoman Plascencia reported on the Civil Rights Institute opening ceremony, speaking engagement with Riverside Unified School District, Ward 5 community meeting, Greenbelt community meeting, and opening remarks for Latina Empowerment Day. Councilmember Perry reported on the Riverside Arts Academy Gala, and Hope Seminar. Councilmember Hemenway reported on Riverside Arts Academy Gala, La Sierra Church 100 Year anniversary, Redistricting Workshop at La Sierra Community Center, and Gardens Memory Care Facility Trunk or Treat. Mayor Lock Dawson wished everyone a safe and Happy Halloween.

CEREMONIAL PRESENTATIONS

DOMESTIC VIOLENCE AWARENESS MONTH
Mayor Lock Dawson presented a Proclamation to SAFE Family Justice Center Director Molly Soliman recognizing October as Domestic Violence Awareness month.

NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH
Mayor Lock Dawson presented a Proclamation to Shari Fleischman recognizing November as National Alzheimer's Disease Awareness month.

DISCUSSION CALENDAR

SINGLE SOURCE SERVICE AGREEMENT - PYROTECHNIC SHOW -MT. RUBIDOUX/ RYAN BONAMINIO PARK
Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Perry to (1) with at least five affirmative votes, approve the Single Source Service Agreement with Pyro Spectaculars, Inc., Rialto, for a pyrotechnic show at Mt. Rubidoux, for a term covering the period of April 1, 2023, through July 5, 2025, with a contract amount of $231,700, and the option to extend for two additional years, and authorized a supplemental appropriation in the amount of $66,500 in the General Fund, Park & Recreation-Recreation, Recreation Services from uncommitted, unreserved General Fund Balance. The motion carried with Councilmembers Edwards, Fierro,

Conder, Perry, and Hemenway voting aye and Councilmember Cervantes and Councilwoman Plascencia voting no.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Rich Gardner spoke regarding A Night of Hope and Joy at Janet Goeske Center, Purple Boat Float at Fairmount Park, and Word of Life Church. Paul Rodriquez spoke regarding Western Municipal Water District Election. Steve Johnson spoke regarding decarbonization.

CONSENT CALENDAR

It was moved by Councilmember Hemenway and seconded by Councilmember Perry to approve the Consent Calendar as presented affirming the actions appropriate to each item. The motion carried unanimously.

MINUTES

The Minutes of the meeting October 11, 2022 were approved as presented.

CASE PR-2021-000975 - STREET VACATION AND DESIGN REVIEW FOR DEVELOPMENT - AGUILAR/GIBSON/ARALIA/DOUGLAS - RESOLUTION - SCHEDULE PUBLIC HEARING

The City Council adopted a resolution declaring its intent to hold a public hearing on November 22, 2022, to consider Planning Case PR-2021-000975 Street Vacation of Aguilar Street, located west of Gibson Street, between Aralia Drive and Douglas Drive, to facilitate development of a multi-family residential project consisting of 139 units; whereupon the title having been read and further reading waived, Resolution No. 23916 of the City Council of Riverside, California Declaring Its Intention to Vacate Approximately 16,696 Square Feet of Aguilar Street Located West of Gibson Street, Between Aralia Drive and Douglas Drive, and Setting the Date, Hour and Place of Hearing, Pursuant to the Public Streets, Highways, and Service Easements Vacation Law, was presented and adopted.

DECLARE AS EXEMPT SURPLUS CITY-OWNED VACANT LAND - 1459 AND 1535 WEST LA CADENA

The City Council (1) declared the vacant City-owned land located adjacent to 1459 and 1535 West La Cadena Drive, between Knoll Way and Spring Garden Street, as exempt surplus land based on the written findings contained in the staff report; (2) approved the

Purchase and Sale Agreement with Greens La Cadena, LLC, for the sale of approximately 6,279 square feet of vacant City-owned right-of-way for the sale price of $6,900; and (3) authorized the City Manager, or his designee, to execute the Purchase and Sale Agreement, including making minor and non-substantive changes, and sign all documents and instruments necessary to complete the transaction.

CASE PR-2022-001391 - ZONING CODE TEXT AMENDMENT TO TITLE 19 - ZONING - DENSITY BONUS - ORDINANCE ADOPTED
The City Council adopted an Ordinance amending various Sections in Title 19 of the Riverside Municipal Code to repeal and replace Chapter 19.545 (Density Bonus) and complete various zoning cleanup items related to setbacks in Industrial Zones, site location criteria for on-sale of alcoholic beverages, parking requirements for certain uses, required findings for Fair Housing Requests for Reasonable Accommodation, and modifications to definitions; whereupon the title having been read and further reading waived, Ordinance No. 7609 of the City Council of the City of Riverside, California, Amending Various Sections in Title 19 of the Riverside Municipal Code, was presented and adopted.

TAX-EXEMPT OBLIGATIONS - WATER UTILITY'S FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM - RESOLUTION
The City Council adopted the Water Utility Reimbursement Resolution to provide the future option of using bond funds for capital financing requirements, with the understanding that reserve funds will be used for capital needs in the interim period; whereupon the title having been read and further reading waived, Resolution No. 23917 of the City Council of Riverside, California, Regarding Intention to Issue Tax-Exempt Obligations, was presented and adopted.

DEPARTMENT OF HOMELAND SECURITY-FEMA 2022 NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM READINESS COOPERATIVE - SUPPLEMENTAL APPROPRIATION
The City Council (1) accepted the grant amount awarded from the Department of Homeland Security (DHS) for the 2022 National Urban Search and Rescue (USAR) Response System Readiness Cooperative Agreement in the amount of $1,346,150, or in the amount of the grant award; (2) with five affirmative votes and upon receipt of the grant award, authorized the Chief Financial Officer, or his designee, to record an increase in revenue in the amount of $1,346,150, or in the amount of the grant award, to the Grants

and Restricted Programs Fund, 2022 Urban Search and Rescue (USAR) Program and an appropriation in expenditures in the same amount; and (3) authorized the City Manager, or designee, to execute the Urban Search and Rescue Response System Cooperative Agreement from the Department of Homeland Security – FEMA, USAR 2022 grant documents, including making minor and non-substantive changes and agreement extensions, and any subsequent amendments for additional funding to this Cooperative Agreement from the Department of Homeland Security – FEMA.

AGREEMENT AMENDMENT - VOLUNTARY, GROUP LEGAL INSURANCE FOR CITY EMPLOYEES
The City Council (1) approved an extension to the Professional Consultant Services Agreement with Legal Access Plans, Inc., through June 30, 2025; and (2) authorized the City Manager, or his designee, to execute the Amended Agreement with Legal Access Plans, Inc., including making minor and non-substantive changes.

MASTER FRINGE BENEFITS AND SALARY - RESOLUTION
The City Council (1) approved the creation of the classifications and salary ranges for the Cross Connection Specialist I, Cross Connection Specialist II, Senior Cross Connection Specialist; (2) approved the Salary Adjustments for the SCADA System Supervisor (Supervisory Unit), Wastewater Operations Manager, Deputy Parks, Recreation and Community Services Director classifications; (3) approved amendment to Section 6(L) to increase vacation cash out provision for unrepresented employees; (4) approved amendment to Section 27 to increase administrative leave for Exempt unrepresented employees; (5) approved amendment to Part II – Section 5(b) and (i) to increase temporary upgrade pay for Executive, Senior Management, Management, Professional employees and Fire Battalion Chief serving as Fire Chief; and (6) adopted a Resolution amending the Master Fringe Benefits and Salary Plan to reflect the creation of the classifications and salary ranges for the Cross Connection Specialist I, Cross Connection Specialist II, and Senior Cross Connection Specialist; to reflect the Salary Adjustments to the SCADA System Supervisor (Supervisory Unit), Wastewater Operations Manager, Deputy Parks, Recreation and Community Services Director classifications; amend Section 6(L), Section 27 and Part II-Section 5(b) and (i); whereupon, the title having been read and further reading waived, Resolution No. 23918 of the City Council of the City of Riverside, California, Amending Resolution No. 21052 and the Master Fringe Benefits and Salary Plan to Approve the Creation of the Classifications and Salary Ranges for Cross Connection Specialist I, Cross Connection Specialist II, Senior Cross Connection Specialist;

Adjustments to the Salary Ranges for the SCADA System Supervisor (Supervisory Unit), Wastewater Operations Manager, Deputy Parks, Recreation and Community Services Director Classifications; and Approve the Modifications of the Fringe Benefits and Salary Plan, Section 6(L), Section 27, and Part II - Section 5(B) and (I), was presented and adopted.

RIVER-SIDE GATEWAY PARKS PROJECT SUITE-PLANNING AND DESIGN - PARK MASTER PLAN AND CALIFORNIA ENVIRONMENTAL QUALITY ACT SERVICES

The City Council (1) with five affirmative votes, authorized a supplemental appropriation of $50,000 in the Regional Park Special Capital Improvement Fund, Santa Ana River Coast Conservancy Project Account from fund balance of the Regional Park Special Capital Improvement Fund; (2) authorized 20 percent change order authority of $392,736.36 not-to-exceed total compensation amount of $2,356,418.15 for Professional Consultant Services Agreement with MLA Green, Inc., dba Studio-MLA, Los Angeles, for the River-side Gateway Parks Project Suite – Planning & Design for Park Master Plan and California Environmental Quality Act Services for Park, Trail, and Greenway Improvements; (3) approved Amendment No. 1 to increase compensation to not-to-exceed $2,356,418.15 and extend the contract term to June 30, 2024; and (4) authorized the City Manager, or designee, to execute the Professional Consultant Services Agreement Amendment with MLA Green, Inc., dba Studio-MLA, including making minor and non-substantive changes.

AUTHORIZE FUND TRANSFER - PROFESSIONAL SERVICES - RENTAL DAMAGE - SUPPLEMENTAL APPROPRIATION

The City Council authorized a supplemental appropriation, with at least five affirmative votes, in the amount of $47,081.52 in the General Fund, Parks Professional Services Account with funds from the Special Deposits Fund, Facility Rental Cleaning Deposit Account.

EMERGENCY REPAIR WORK - WAIVE FORMAL COMPETITIVE PROCUREMENT REQUIREMENTS - RESOLUTION

The City Council, with at least five affirmative votes, adopted a Resolution declaring the Emergency Repair Work of Garner Well C an urgent necessity for the preservation of life, health or property and waiving the formal public bidding requirements in accordance with Section 1109 of the City Charter; whereupon, the title having been read and further

reading waived, Resolution No. 23919 of the City Council of the City of Riverside, California, (1) Declaring That the Emergency Repair Work for Garner Well C to be of Urgent Necessity for the Preservation of Life, Health, or Property and Waiving the Formal Competitive Procurement Requirements of City Charter Section 1109; and (2) Authorizing the Expenditure in the Amount of $88,282.84 to Tri-County Pump Company for the Emergency Repairs, was presented and adopted.

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD WATER RECYCLING FUNDING PROGRAM (WRFP) - RECYCLED WATER MASTER PLAN STUDY - RESOLUTION

The City Council (1) adopted a Resolution authorizing submittal of a grant application to the Water Recycling Funding Program in the estimated amount of $150,000 for Riverside Public Utilities' Recycled Water Master Plan study; (2) authorized the City Manager, or designee, to accept the amount awarded and execute all grant documents, including making minor and non-substantive changes to documents associated with the grant; and (3) authorized the Chief Financial Officer, or designee, to record an increase in revenues and an appropriation in expenditures in the estimated grant award amount of $150,000 in account numbers established by the Finance Department; whereupon, the title having been read and further reading waived, Resolution No. 23920 of the City Council of the City of Riverside, California, Authorizing the City Manager to Execute on Behalf of the City of Riverside All Necessary Applications, Contracts, Payment Requests, Agreements and Amendments in The Process of Applying for and Securing Funds Under the California State Water Resources Control Board Water Recycling Funding Program (WRFP), was presented and adopted.

SPEED LIMIT ZONE - CALMHILL/CALIFORNIA/CHALLEN AVENUES - WASHINGTON/ SUNDANCE TRAIL - ORDINANCE INTRODUCED

The City Council introduced an ordinance to (1) establish a 25 mile-per-hour speed limit zone on Calmhill Drive from California Avenue to Challen Avenue; and (2) establish a 30 mile-per-hour speed limit zone on Frances Street from Washington Street to Sundance Trail; whereupon, an Ordinance entitled "An Ordinance of The City of Riverside, California Amending Section 10.76.010 of the Riverside Municipal Code Designating the Prima Facie Speed Limits for Streets and Portions Thereof in Accordance with the Provisions of Sections 10.20.020 And 10.20.030," was presented and introduced.

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COMMUNICATIONS

CITY ATTORNEY REPORT ON CLOSED SESSIONS
City Attorney Norton announced there were no reportable action taken during closed session.

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION
Councilmember Conder requested a report for funding allocation for pavement of Mount Rubidoux.

The City Council adjourned at 8:42 p.m.

Respectfully submitted,

DONESIA GAUSE
City Clerk